

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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TRUSTEES OF THE STEAMFITTERS' LOCAL  
UNION NO. 638 WELFARE FUND, PENSION  
FUND, SUPPLEMENTAL RETIREMENT  
FUND, EDUCATIONAL FUND, VACATION  
FUND, SECURITY BENEFIT FUND AND  
INDUSTRY PROMOTION FUND and JOHN J.  
TORPEY, as President of Steamfitters' Local  
Union No. 638 of The United Association of  
Journeyman and Apprentices of the Plumbing and  
Pipe Fitting Industry of The United States and  
Canada,

Plaintiffs,

- against -

NEXUS MECHANICAL, INC.,

Defendant.

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ROSLYNN R. MAUSKOPF, United States District Judge.

Plaintiffs, the Trustees of the Steamfitters' Local Union No. 638 Welfare, Pension, Supplemental Retirement, Educational, Vacation, Security Benefit, and Industry Promotion Funds, and John J. Torpey, as President of Steamfitters Local Union No. 638 of the United Association of Journeyman and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, commenced this action against defendant, Nexus Mechanical, Inc., seeking delinquent payments, interest, liquidated damages, attorneys' fees, and other expenses relating to auditing and collection procedures. (Compl. (Doc. No. 1).)

On March 13, 2014, Magistrate Judge Go issued a Report and Recommendation ("R&R"), recommending that the Court award plaintiffs a default judgment in the amount of \$1,728,299.45, representing (a) \$795,780.41 in unpaid contributions and dues; (b) \$758,697.61 in pre-judgment interest on the unpaid contributions, through March 31, 2014, with interest

**ORDER**  
08-CV-3214 (RRM) (MDG)

accruing thereafter at a per diem rate of \$312.15 until entry of judgment; (c) \$151,664.77 in liquidated damages; (d) \$12,500 in administrative fees; \$9,220.20 in attorneys' fees; and (f) \$436.46 in court costs. (Doc. No. 31.) Judge Go instructed the parties that although, pursuant to Fed. R. Civ. P. 72(b), any objections to the R&R were due March 27, 2014, the parties' deadline would be slightly later – March 31, 2014. No party has filed any objection.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007).

Accordingly, it is hereby ordered that the R&R is adopted in its entirety, judgment shall enter consistent with the R&R, and the action shall be closed.

SO ORDERED.

Dated: Brooklyn, New York  
April 2, 2014

*Roslynn R. Mauskopf*

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ROSLYNN R. MAUSKOPF  
United States District Judge